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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**

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9 United States of America,
10 Plaintiff,

No. CR08-0814-01-PHX-DGC

ORDER

11 v.

12 Daniel David Rigmaiden (1),
13 Defendant.

14 1. Defendant Daniel Rigmaiden has filed a motion for reconsideration (Doc.
15 914) of the Court's order granting the government 10 additional days to respond to
16 Defendant's motion for additional discovery (Doc. 899). The motion for reconsideration
17 asks the Court to review Defendant's response to the motion for extension (Doc. 902) and
18 grant the relief requested in it. The Court has reviewed Defendant's response to the
19 motion for extension (Doc. 902). The intemperate response expresses great exasperation
20 with the government, announces that Defendant is through waiting, asks the Court to
21 dismiss this case with prejudice, or alternatively asks the Court to grant the additional
22 discovery Defendant seeks in the motion to which the government is responding or
23 suppress all digital evidence in this case.

24 The motion for reconsideration is denied. Defendant has filed hundreds of pages
25 of motions in the last year, including four more motions in the last 10 days alone
26 (Docs. 897, 901, 914, 908). The government has responded to Defendant's many
27 motions and, in the Court's view, has sought to cooperate fairly in Defendant's vigorous
28 pro se defense of this case. Granting the government a 10-day extension to respond to

1 Defendant's motion for additional discovery was not unreasonable, and the Court sees no
2 basis whatsoever for granting the extraordinary relief sought in Defendant's response to
3 the motion for the 10-day extension.

4 2. Defendant has also filed a motion for leave to file yet another discovery
5 motion. Doc. 908. The motion notes that the Court previously directed Defendant not to
6 file further discovery motions (Doc. 723), but asks permission to file a motion to compel
7 the government to again disclose a video file (previously disclosed to the defense but
8 lost) that would allow Defendant to obtain a still image in support of a fact the
9 government likely does not dispute – that it had an agent leave a menu on Defendant's
10 door in June of 2008. The motion notes that the government recently provided him with
11 a second copy of the video file, but Defendant could not open it. Defendant asks the
12 Court to order the government to follow his instructions in creating the video file.

13 The motion for leave to file another discovery motions is denied. Defendant can
14 make the argument regarding the government's ability to serve him as fully without the
15 video as he can with it. If the government denied that an agent placed a Chinese food
16 menu on his door in June of 2008, Defendant can renew his request for a copy of the
17 video. Defendant shall not file further discovery motions.

18 **IT IS ORDERED** that Defendant's motion for reconsideration (Doc. 914) and
19 motion for leave to file a discovery motion (Doc. 908) are **denied**.

20 Dated this 24th day of October, 2012.

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26 David G. Campbell
27 United States District Judge

27 cc: Rigmaiden
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